

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

13 October 2010

Report of the Director of Finance

Part 1- Public

Executive Non Key Decisions

1 RISK MANAGEMENT CONSULTANCY ALLOWANCE – RECOMMENDATION FROM THE AUDIT COMMITTEE

Summary

This report seeks Cabinet's agreement to recommendations made by the Audit Committee at its meetings on 21 June 2010 and 12 October 2010 in respect of allocations of the Council's Risk Management Consultancy Allowance.

1.1 Audit Committee 21 June 2010

- 1.1.1 The Audit Committee, at its meeting on 21 June 2010, received a report requesting retrospective endorsement of two proposals for the further allocation of funds from the Council's Risk Management Consultancy Allowance, a fund provided by the Council's insurers.
- 1.1.2 Due to timing and availability constraints, it was necessary to obtain the approval of the Chairman and Vice-Chairman of the Audit Committee and to notify the Cabinet Member for Finance and Leader of the Council of the proposals prior to the Audit Committee meeting.
- 1.1.3 The two proposals, both of which were submitted by the Director of Planning, Transportation & Leisure, were as follows –
- § Leisure Risk Management Training for managers and supervisors employed at the Council's Larkfield Leisure Centre, Angel Centre and Tonbridge Swimming Pool. The training to be provided over two days because of shift/rota arrangements. Cost £3,000 (£1,500 per day)
 - § An Open Spaces Report on Leybourne Lakes and Haysden Country Parks, Tonbridge Race Course and Tonbridge Farm. These reports include details of defects noted during the inspection, specific risk management recommendations for each site, an inspection checklist for our future use, general information regarding inspection frequencies and expected management standards. Cost £4,000

1.2 Audit Committee 12 October 2010

1.2.1 At its meeting on 12 October, the Audit Committee is due to consider two further proposals for use of the Consultancy Allowance. These are:

- The Director of Health & Housing has proposed that the insurers be requested to review and update as necessary the Councils Written Schemes of Arrangement in respect of pressure vessels. This is a statutory requirement and, if the review was not undertaken by the insurers, the Council would need to employ specialist contractors to undertake the work. (Cost - £450.00)
- The Director of Planning, Transportation and Leisure has proposed a review/audit of the Council's client role and responsibilities for managing the Grounds Maintenance Contract with Kent County Council. A similar review was carried out by the insurers on the Refuse, Re-cycling and Street Cleansing Contract and the results from that exercise will be incorporated into the management of the Grounds Maintenance Contract. There are however many differences in the activities undertaken and, taking into account the scale of the contract and its impact borough wide, the Service considers that a specific review/audit would be beneficial. (Cost - £3,500)

1.2.2 At the time of writing this report, the Audit Committee has not yet met to consider the two proposals above. My report is drafted on the assumption that the Audit Committee will recommend that these proposals are supported. If this is not the case, I shall, of course, update the Cabinet at the meeting on 13 October.

1.3 Legal Implications

1.3.1 The Council has a duty of care to visitors and employees visiting land or facilities owned or managed by the Council. An independent review will provide confirmation as to whether or not the Council's procedures for the management of the sites in question comply with Health & Safety legislation and are considered acceptable by the Council's liability insurers.

1.3.2 Employers are required by law to comply with the provisions of the Health & Safety at Work etc Act 1974. The Health & Safety at Work etc Act places a responsibility on employers to monitor contracts and contractors

1.4 Financial and Value for Money Considerations

1.4.1 The total cost of all four proposals is £10,950 and, as previously mentioned, will be funded from the allowance provided by the Council's insurers. This will leave a balance of £3,108.

1.5 Risk Assessment

- 1.5.1 A failure to comply with the requirements of the Health & Safety at Work etc Act could jeopardise the safety and welfare of employees and third parties. In addition, should a personal injury incident occur, the reputation of the Council could be placed at risk.

1.6 Policy Considerations

- 1.6.1 Asset Management and Health & Safety

1.7 Recommendations

- 1.7.1 It is **RECOMMENDED** that the following actions and proposals be endorsed:

- 1) Action taken in consultation with the Chairman and Vice-Chairman to progress the two initiatives set out in paragraph 1.1 and considered by the Audit Committee on 21 June 2010 be retrospectively approved;
- 2) Subject to any comments or alternative recommendations made by the Audit Committee on the evening of 12 October 2010, the two proposals set out in paragraph 1.2 be approved; and
- 3) All initiatives be funded from the risk management consultancy allowance.

Background papers:

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Nil

Sharon Shelton
Director of Finance